

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Bruck Kifle
Group Art Unit : 1624
Applicants : Kaoru Seno et al.
Application No. : 10/511,840 Confirmation No. : 5013
Filed : September 23, 2005
For : PYRAZOLO [1,5-a] PYRIMIDINE DERIVATIVE AND
NAD(P)H OXIDASE INHIBITOR CONTAINING THE
SAME

New York, New York
August 31, 2009

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITION FOR WITHDRAWAL FROM
ISSUE UNDER 37 C.F.R. § 1.313(c)(2)

Sir:

The above-identified patent application was allowed on May 15, 2009 and applicants paid the issue and publication fees on July 29, 2009.

Five documents were cited in an August 20, 2009 Official Action from the Japanese Patent Office in an application corresponding to the above-identified application. Applicants request that the Patent and Trademark Office consider these documents before the issue of a patent based on the above-identified application. Therefore, under 37 C.F.R. § 1.313(c)(2), applicants hereby petition the Commissioner to withdraw the above-identified patent application from issue to prevent the patent from issuing at this time and

to permit consideration of the documents cited in the Supplemental Information Disclosure Statement, filed herewith.

In accordance with 37 C.F.R. § 1.313(c)(2), applicants have filed concurrently herewith a Request for Continued Examination of this application under 37 C.F.R. § 1.114 and a Supplemental Information Disclosure Statement.

The Director is hereby authorized to charge the amount of \$130.00, in payment of the fee set forth in 37 C.F.R. § 1.17(h) for consideration of this Petition, and any additional fees that may be required in connection with this Petition, or any of the papers filed herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075, Order No. 03824-0011-101.

CONCLUSION

Applicants respectfully submit that the requirements of 37 C.F.R. §1.313(c)(2) are satisfied and that this Petition is grantable. Applicants respectfully request that the Commissioner grant this Petition in time to prevent the expected issuance of a patent on this application.

Respectfully submitted,

/Brian M. Gummow/

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